

Note: This document is only a sample. Changes should be made for local circumstances as needed. The municipality may use its standard resolution format.

This document is sent to the OCR if the railroad fails to repair the crossing after being served with the demand to repair the crossing. It should also be sent to the railroad. This resolution is the second formal step in the complaint process under s. 86.12 Stats.

**Resolution No. (_____)
2006**

MUNICIPAL GOVERNING BODY

PETITION FOR THE REPAIR OF AN AT-GRADE CROSSING

WHEREAS, ROAD, a public street in the MUNICIPALITY crosses the tracks of the RAILROAD at-grade, and

WHEREAS, the crossing is not in good condition and repair for public travel [DESCRIPTION OF THE CONDITIONS IS HELPFUL] and

WHEREAS, the MUNICIPALITY by resolution did require that the RAILROAD pave, plank, repair, change or otherwise improve the crossing, as the needs require and

WHEREAS, The clerk of the MUNICIPALITY did serve a copy of the resolution upon the railroad company and

WHEREAS, the RAILROAD has failed to comply with the resolution within 30 days after service of the resolution and

WHEREAS, Section 86.12 Wisconsin Statutes authorizes the Office of the Commissioner of Railroads to investigate and determine the matter in controversy,

NOW, THEREFORE, BE IT RESOLVED, that the GOVERNING BODY hereby directs the MUNICIPAL staff to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order for the repair of the rail-highway crossing of STREET with the tracks of the RAILROAD in the MUNICIPALITY, COUNTY.

Sample Drafted by Douglas S. Wood
January 26, 2006
Revised January 19, 2007